

1 **SANDERS LAW GROUP**

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10 *Attorneys for Plaintiff*

11 **UNITED STATES DISTRICT COURT**
12 **CENTRAL DISTRICT OF CALIFORNIA**

13 Viral DRM, LLC,

14 Plaintiff,

15 v.

16 California Off Road Recovery
17 Defendant.

18 Case No.: 8:24-cv-00871-FMO-AS

19 **DECLARATION OF
20 JACQUELINE MANDEL IN
21 SUPPORT OF PLAINTIFF'S
22 REQUEST FOR ENTRY OF
23 DEFAULT AGAINST
24 DEFENDANT**

25 I, JACQUELINE MANDEL, declare:

26 1. I am a member of the Bar of this Court and I am an associate attorney
27 with the law firm of SANDERS LAW GROUP, attorneys for plaintiff, Viral DRM,
28 LLC ("Plaintiff"), in the above-captioned action.

1 2. I have personal knowledge of the facts set forth in this Declaration and
2 would testify as to them in a court of law if required to do so.

3 3. I respectfully submit this Declaration in accordance with Rule 55(a) of
4 the Federal Rules of Civil Procedure, in support of Plaintiff's application for a

1 certificate of default against defendant California Off Road Recovery Group LLC
2 (“*Defendant*”).

3 4. This is an action seeking damages against Defendant arising from its
4 unauthorized use of Plaintiff's photograph on its social media accounts
5 @rhino_offroad_recovery on www.instagram.com and @SoCal 4x4 Rhino Offroad
6 Recovery, Rescue and Towing at www.facebook.com, and the infringement of
7 Plaintiff's copyright in accordance with 17 U.S.C. § 501 *et seq.*

8 5. Jurisdiction of the subject matter of this action is based upon 28 U.S.C.
9 § 1338(a) and 28 U.S.C. § 1331.

10 6. This Court has personal jurisdiction over Defendant because
11 Defendant's principal place of business is in California.

12 7. The Amended Complaint adding Defendant to this action was filed on
13 June 13, 2024. (*Dkt. No. 22*).

14 8. Pursuant to the California Secretary of State website, Defendant's
15 registered agent is 1505 Corporation, United States Corporation Agents, Inc., located
16 at 500 N. Brand Blvd., Glendale, California 91203. Defendant's principal and
17 mailing address is 473 S. Carnegie Drive., Suite 200, San Bernardino, California
18 92408.

19 9. On July 19, 2024, Plaintiff's process server served a true and accurate
20 copy of the Amended Complaint and Summons upon an employee at 1505
21 Corporation, United States Corporation Agents, Inc. authorized to accept service, at
22 500 N. Brand Blvd., Glendale, California 91203. (*Dkt. No. 28*).

23 10. On July 25, 2024, Proof of Service was filed with the Court. (*Id.*).

24 11. Consequently, an answer or responsive pleading was due from
25 Defendant on or before August 9, 2024. (*Id.*).

26 12. To date, Defendant has not answered or otherwise responded to

Plaintiff's Complaint and the time for Defendant to do so has expired.

13. This action seeks judgment against Defendant for statutory damages and Plaintiff's costs and attorneys' fees in prosecuting this action.

14. Inasmuch as Defendant has failed to plead or otherwise defend in this action, it is respectfully requested that a default be entered against Defendant.

15. Defendant is not in the military, infants, or incompetents.

16. I declare under penalty of perjury of the laws of the United States that the foregoing is true and correct.

Dated: August 13, 2024

SANDERS LAW GROUP

By: /s/ Jacqueline Mandel
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